

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ENOVIX CORP. SECURITIES
LITIGATION

Case No. [23-cv-00071-SI](#)

ORDER RE: DISCOVERY STAY

Re: Dkt. Nos. 178, 180

The Court has reviewed the letters from the parties, Dkt. Nos. 178 and 180, and the relevant law. *See* 15 U.S.C. § 78u-4(b)(3)(B). This order hereby notifies the parties that discovery remains open during the pendency of defendants' motion for partial judgment on the pleadings. Following two rounds of motions to dismiss, the Court has already "sustained the legal sufficiency" of at least some of the operative complaint. *See Powers v. Eichen*, 961 F. Supp. 233, 236 (S.D. Cal. 1997) (recounting legislative history of Private Securities Litigation Reform Act). And because defendants have moved for *partial* judgment on the pleadings, some portion of this case will move forward regardless. In these circumstances, the Court agrees with plaintiffs that the PSLRA's automatic discovery stay does not apply. *See In re Facebook, Inc. Secs. Litig.*, No. 18-cv-01725-EJD, at *1-2 (N.D. Cal. Feb. 19, 2025) (after multiple motions to dismiss and a complaint sustained on appeal, ordering that discovery proceed in parallel with any future motion for judgment on the pleadings, notwithstanding the PSLRA's automatic discovery stay).

IT IS SO ORDERED.

Dated: July 8, 2025



SUSAN ILLSTON
United States District Judge